

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JANICE FULTON, )  
Plaintiff, )  
v. ) Case No. 4:16 CV 731 CDP  
UNITED STATES OF AMERICA, )  
et al., )  
Defendants. )

## MEMORANDUM AND ORDER

In this action, plaintiff Janice Fulton settled her claims against defendant United States of America for \$17,000. On July 11, 2017, attorney Spencer Farris deposited into the registry of the Court \$11,853.88, which was the amount of settlement proceeds remaining after deduction of attorney's fees and costs. In accordance with my Order of June 20, attorney Farris provided notice of these interpleaded funds to certain of plaintiff's healthcare providers, informing them that they had thirty days within which to assert a lien or claim to any of these funds by filing a claim in interpleader in this action. The time for filing such claims has passed.<sup>1</sup>

<sup>1</sup> Farris sent notice to plaintiff's healthcare providers on July 7 (ECF #68) and deposited the funds into the Court's registry on July 11. My June 20 Order instructed these healthcare providers to file their claims with the Court no later than thirty days after receipt of Farris's notice. There is a presumption that correspondence is received three days after it is mailed.

One healthcare provider – Back & Neck Care Center of North County LLC – filed a claim for interpleaded funds. (See ECF #69) Plaintiff does not object to this provider's claim for funds and asks that I order their disbursement, with the remainder of the interpleaded funds to be paid to her. I will grant plaintiff's request.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff Janice Fulton's request for disbursement of interpleaded funds [70] is granted.

**IT IS FURTHER ORDERED** that the Clerk of Court shall pay from the interpleaded funds currently on deposit in the registry of the Court the sum of One Thousand Nine Hundred Fifteen and 00/100 Dollars (\$1915.00), made payable to Back & Neck Care Center of North County LLC and to be mailed to Back & Neck Care Center of North County LLC, 11638 W. Florissant Avenue, Florissant, Missouri 63033, thereby satisfying its claim for interpleaded funds [69].

**IT IS FURTHER ORDERED** that the Clerk of Court shall pay the balance of the interpleaded funds to plaintiff Janice Fulton, made payable to Janice Fulton and to be mailed to her at 1923 N. Church Street, Belleville,

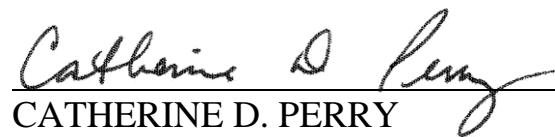
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*Euell v. Potter*, No. 4:06-CV-1154 CAS, 2007 WL 1704934, at \*2 n.2 (E.D. Mo. June 12, 2007); Fed. R. Civ. P. 6(d).

Illinois 62221.

**IT IS FURTHER ORDERED** that plaintiff Janice Fulton's claims against defendant United States of America are dismissed with prejudice.

This case, in its entirety, is now closed.



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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 18th day of August, 2017.